

OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER

The Commissioner anticipates that he may go into executive session at this meeting on items listed. The agenda shall be subjected to the discussion of the items including executive sessions which arise at the time of the public body's meeting. Pursuant to 29 Del. C. Section 10004(b), the Commissioner may call for an executive session closed to the public to obtain legal advice with respect to pending or potential litigation, to discuss criminal records of applicants, and to review financial data. No action is taken during the executive session. All action is taken in open session.

July 2, 2009

Agenda

**Carvel State Office Building
820 N. French Street
3rd Floor Conference Room
Wilmington, DE 19801**

VIOLATIONS
9:30A.M.

**C & D Brewing Company, LLC
Iron Hill Brewery
710 Justison Street
Wilmington, DE 19801**

**P-BRP-ON
S-SPR-ON
#13294**

Violation #05691: On Monday, March 16, 2009, at approximately 3:48pm, sell an alcoholic beverage to a person under the age of 21.

**Sullivan's of Delaware, Inc.
Sullivan's Steakhouse & Restaurant
5525 Concord Pike
Wilmington, DE 19806**

**SPR-ON
S-SPR-ON
#12655**

Violation #05692: On Monday March 16, 2009, at approximately 5:14pm, sell an alcoholic beverage to a person under the age of 21.

**Parkway Liquors, Inc.
Frank's Union Wine Mart
1902-1904 West 13th Street
Wilmington, DE 19806**

**PCK-OFF
PCT-ON
#11197**

Violation #05699: On Tuesday, March 31, 2009, at approximately 5:41pm, sell an alcoholic beverage to a person under the age of 21.

**Concord Pike Seasons Pizza & Restaurant
Seasons Pizza
3901 Concord Pike
Wilmington, DE 19803**

**SPR-ON
S-SPR-ON
#13428**

Violation #05690: On Monday, March 16, 2009, at approximately 12:29pm, sell an alcoholic beverage to a person under the age of 21.

**Delaware Nutrition, LLC
Inner Spirits
1622 Delaware Avenue
Wilmington, DE 19806**

**PCK-OFF
PCT-ON
#13718**

Violation #05675: On Monday, February 9, 2009, at approximately 2:30pm, sell an alcoholic beverage to a person under the age of 21.

**LUV 614, Inc.
Silverside Liquors
1401 Philadelphia Pike
Wilmington, DE 19809**

**PCK-OFF

#13760**

Violation #05641: On Monday, February 9, 2009, at approximately 6:45pm, sell an alcoholic beverage to a person under the age of 21.

**Pizza Systems, Inc.
Grotto Pizza Restaurant
1819 Pennsylvania Avenue
Wilmington, DE 19806**

**P-SPR-ON
S-SPR-ON
#12583**

Violation #05614: On Monday, March 31, 2009, at approximately 4:04pm, sell an alcoholic beverage to a person under the age of 21.

VIOLATIONS
1:30P.M.

Kim, In Sook
Korean BBQ Restaurant
3 Liberty Plaza
Newark, DE 19711

SPR-ON
S-SPR-ON
#13542

Violation #05614: On Wednesday, December 10, 2008, at approximately 2:15pm, have unauthorized product on your licensed premise which was not purchased pursuant to the Title.

Jmack, Inc.
Bourbon Street Grill
2605 Philadelphia Pike
Claymont, DE 19703

SPR-ON
S-SPR-ON
#13367

Violation #05615: From 01-01-2008 through 10-31-2008, fail to maintain the proper food to alcohol ratio required by the Commissioner in violation of Title 4, Section 543(b)(9).

Crackers, Inc.
Greengate
1708 West 8th Street
Wilmington, DE 19805

TAP-ON
TAP-OFF
#12653

Violation #05682: From the period of 01-01-2000 to the present, fail to file a Delaware corporate income tax return and fail to pay state withholding taxes in violation of Title 4, Section 543(b)(3).

Lima Associates, LLC
Baxter's Restaurant
2006 Pennsylvania Avenue
Wilmington, DE 19806

SPR-ON
S-SPR-ON
#13064

Violation #05695: From January 1, 2006 through January 31, 2009, fail to maintain the proper food to alcohol ratio required by the Commissioner in violation of Tile 4, Section 543(b)(9).

**Fantasia Restaurant & Lounge, Inc.
Fantasia Presents the Gold Club
1031 South Market Street
Wilmington, DE 19801**

**SPR-ON
S-SPR-ON
#12901**

Violation #05696: On Sunday, March 8, 2009, at approximately 1:10am, dispense a non-alcoholic beverage from a Budweiser tap in violation of Commissioner Rule 21(1).

Violation #05697: On Sunday, March 8, 2009, at approximately 1:30am, serve an alcoholic beverage at a time prohibited in violation of Commissioner Rule 36(c)(1).

**Fernwalt, Inc.
El Tapatio
560-570 Eden Square Shopping Center
Bear, DE 19701**

**SPR-ON
S-SPR-ON
#13079**

Violation #05664: On Saturday, February 7, 2009, at approximately 11:05pm, fail to have food available while the restaurant was open for the sale of alcoholic beverages.

Violation #05665: On Sunday, February 8, 2009, sell an alcoholic beverage at the prohibited times of 1:15am, 1:30am, 1:45am and 1:56am, in violation of Commissioner Rule 36(c)(1) as it pertains to Delaware Title Law T4/709(c).

Violation #05666: On Sunday, February 8, 2009, at approximately 12:45am, sell more than 1 drink per person during the 30 minutes prior to closing, in violation of Delaware Title Law T4/561(b)(1) as it pertains to T4/727.

Violation #05667: On Sunday, February 8, 2009, at approximately 2:20am, allow alcoholic beverages to be consumed on your licensed premise, in violation of Commissioner Rule 36(c)(1).

PROTESTED APPLICATIONS

5:00P.M.

**Dietz Enterprises, Inc.
BBC Tavern & Grill
4019 Kennett Pike
Greenville, DE 19807**

**P-SPR-ON
S-SPR-ON
#14030**

New License – applicant has applied for Restaurant On, Sunday and Patio Liquor Licenses that permit the sale, service and consumption of alcoholic beverages on the premises where sold.

6:00P.M.

**Odessa National Golf Course, LLC
Odessa National Golf Course
1130-1131 Fieldsboro Road
Townsend, DE 19734**

**MAC-ON

#13972**

New License – applicant has applied for Multiple Activity Club Liquor License that permits the sale, service and consumption of alcoholic beverages on the premises where sold.